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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/868,216 06/03/97 GIORDANO III

J INF00002

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MENLO PARK CA 94025

WM01/1009

EXAMINER

NGUYEN, S

ART UNIT	PAPER NUMBER
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2664

25

DATE MAILED:

10/09/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

<b>Office Action Summary</b>	Application No. <b>08/868,216</b>	Applicant(s) <b>Giordano III</b>
	Examiner <b>Steven Nguyen</b>	Art Unit <b>2664</b>
		
<i>-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --</i>		
<b>Period for Reply</b>		
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.		
<ul style="list-style-type: none"> <li>- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.</li> <li>- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.</li> <li>- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.</li> <li>- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).</li> <li>- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).</li> </ul>		
<b>Status</b>		
1) <input checked="" type="checkbox"/> Responsive to communication(s) filed on <u>Jul 19, 2001</u>		
2a) <input type="checkbox"/> This action is FINAL.      2b) <input checked="" type="checkbox"/> This action is non-final.		
3) <input type="checkbox"/> Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> 35 C.D. 11; 453 O.G. 213.		
<b>Disposition of Claims</b>		
4) <input checked="" type="checkbox"/> Claim(s) <u>1-6, 8-20, 22, 24-29, 31-50, and 52-65</u> is/are pending in the application.		
4a) Of the above, claim(s) _____ is/are withdrawn from consideration.		
5) <input type="checkbox"/> Claim(s) _____ is/are allowed.		
6) <input checked="" type="checkbox"/> Claim(s) <u>1-6, 8-20, 22, 24-29, 31-50, and 52-65</u> is/are rejected.		
7) <input type="checkbox"/> Claim(s) _____ is/are objected to.		
8) <input type="checkbox"/> Claims _____ are subject to restriction and/or election requirement.		
<b>Application Papers</b>		
9) <input type="checkbox"/> The specification is objected to by the Examiner.		
10) <input type="checkbox"/> The drawing(s) filed on _____ is/are objected to by the Examiner.		
11) <input type="checkbox"/> The proposed drawing correction filed on _____ is: a) <input type="checkbox"/> approved b) <input type="checkbox"/> disapproved.		
12) <input type="checkbox"/> The oath or declaration is objected to by the Examiner.		
<b>Priority under 35 U.S.C. § 119</b>		
13) <input type="checkbox"/> Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).		
a) <input type="checkbox"/> All b) <input type="checkbox"/> Some* c) <input type="checkbox"/> None of:		
1. <input type="checkbox"/> Certified copies of the priority documents have been received.		
2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.		
3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).		
*See the attached detailed Office action for a list of the certified copies not received.		
14) <input type="checkbox"/> Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).		
<b>Attachment(s)</b>		
15) <input type="checkbox"/> Notice of References Cited (PTO-892)		
16) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)		
17) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____		
18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____		
19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)		
20) <input type="checkbox"/> Other: _____		

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## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments with respect to claims 22, 38-44 and 59-65 have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-6, 8-20, 22, 24-29, 31-50 and 52-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shachar (USP 5764736) in view of Miller (USP 5946647) and Pandit (USP 5859636).

Regarding claims 1-6, 8-20, 22, 24-29, 31-50 and 52-65, Shachar discloses transparently disconnecting from the session upon the user clicks on the telephone icon to dial the number (Col 6, lines 1-14); reconnecting a data session when a telephone session is terminated (Col 6, 11-14); pattern-recognizer (See Fig 4a, 410); Internet capable telephone for recognizing a telephone number in the telephone tag “telephone icon” (Col 6, lines 24-26, col 5, lines 52-60); after interpreting the text information and adding code, a web browser will display a web page with all the information such as telephone number with graphic associated with it (Col 5, lines 42-47).

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However, Schachar fails to disclose a step of recognizing a untag telephone number, storing a telephone number in the address book and adding an HTML code to create an telephone number icon. In the same field of endeavor, Miller discloses a method of performing on a document, such as a word processor, containing text information during communication session which comprises the step of parsing (Fig 3, Ref 310 is a parser, Parse information for identifying telephone number, automatically dial the number without the user to enter telephone number), recognized the telephone number (Fig 4) and adding code to form a telephone icon such screen label, a graphic button, highlighted (adding code to create a highlighting for allowing the user to select and dial the telephone number from the computer, See Fig 6) for displaying on the GUI (See col 5, lines 5-50 and col 6, lines 8-25) and Pandit discloses a step of recognizing a telephone number from any document such as Netscape and storing a telephone number in the address book (See Fig 1f, ref 20);

Since, Pandit suggests a method of recognizing a telephone number from any document such as Netscape (See col 1, lines 42-49) and Miller suggests a document which is generated by an applicant program such as word-processor (See col 3, lines 36-38). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method of recognizing a untag telephone number and adding a HTML code to generate a telephone icon as disclosed by Miller and Pandit into Shachar's communication system. The motivation would have been to prevent human error. Furthermore, the

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method of recognizing a pattern is well known in the art for recognizing the text telephone number.

*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven Nguyen whose telephone number is (703) 308-8848. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (703) 305-4366.

The fax phone number for this group is (703) 872-9314.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.



Steven Nguyen  
Art Unit 2664  
October 5, 2001